



TITLE VI PLAN

April 14, 2016

*Springfield Area Transportation Study
200 South 9th Street, Room 212
Springfield, IL 62701*

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INTRODUCTION

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal funding. As a subrecipient of federal transportation planning funds from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), the Springfield Metropolitan Planning Organization (MPO), known as the Springfield Area Transportation Study (SATS), must certify that the transportation planning process is being carried out in conformance with these regulations. The SATS self-certification can be found in **Attachment A**.

SATS TITLE VI POLICY STATEMENT

The Springfield Area Transportation Study assures that no person shall, on the basis of race, color, or national origin as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity. SATS further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are Federally funded or not. In the event SATS distributes Federal-aid funds to another governmental entity, the MPO will include Title VI language in all written agreements and will monitor for compliance. The Executive Director is responsible for ensuring implementation of the SATS's Title VI Plan and provides direction to the Title VI Coordinator.

TITLE VI NOTICE TO THE PUBLIC

The Springfield Area Transportation Study has posted a notice regarding the civil rights of the public under Title VI and information on contacting the Springfield-Sangamon County Regional Planning Commission (SSCRPC) if a citizen believes unlawful discrimination has occurred related to the transportation planning programs and activities of SATS. The notice can be found:

- Posted in the SSCRPC office.
- Posted on the SSCRPC website (sscrpc.org).
- In **Attachment B** of this document.

EXECUTIVE DIRECTOR

The SATS Executive Director is responsible for ensuring implementation of the MPO's Title VI Plan. The Title VI Coordinator, under supervision of the Executive Director, is

responsible for coordinating the overall administration of the Title VI program, plan, and assurances. The Executive Director is responsible for ensuring that MPO staff understand and adhere to the various Title VI requirements and produce a report documenting compliance annually to the federal agencies from which the MPO receives financial assistance.

TITLE VI COORDINATOR

The SSCRPC Senior Transportation Planner, or designee, will serve as the SATS Title VI Coordinator. The Title VI Coordinator is responsible for overseeing compliance with applicable nondiscrimination authorities in each of the metropolitan transportation planning and programming areas. Other staff members are expected to provide information and support to assist the Title VI Coordinator perform her or his tasks pertaining to nondiscrimination regulations and procedures set forth in federal guidance and in accordance with this Plan.

TITLE VI COMPLAINT PROCEDURES

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the Springfield Area Transportation Study may file a Title VI complaint by completing and submitting the SATS Title VI Complaint Form found in **Attachment C**. The procedure for submittal and review of the complaint is outlined below.

1. The SATS Title VI Complaint Form should be submitted to the Springfield-Sangamon County Regional Planning Commission no more than 180 days after the alleged incident. The form will be stamped with the date upon receipt by the SSCRPC.
2. Only forms that are complete will be processed.
3. Once the complaint is received the SATS Title VI Coordinator will review the complaint to determine if the office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by SATS.
4. SATS has 20 business days to investigate the complaint.
5. If more information is needed the Title VI Coordinator may contact the complainant by letter. The complainant has 30 business days from the date of the letter to send requested information to the Title VI Coordinator. If the Title VI Coordinator is not contacted by the complainant or does not receive the additional information within 30 business days, SATS can administratively close the case.

6. After reviewing the complaint the Title VI Coordinator will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF).
- ⇒ *A Closure Letter* summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
 - ⇒ *A Letter of Finding* summarizes the allegations and the interviews regarding the alleged incident and explains whether any disciplinary action, additional training of the staff member, or other action will occur.
7. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter to do so.

A person may also file a complaint directly with:

- ◇ Federal Transit Administration, FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590 or the
- ◇ Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590
- ◇ Illinois Department of Transportation, Bureau of Civil Rights, 2300 South Dirksen Parkway, Room 317, Springfield, IL 62764

TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

There have been no complaints received or lawsuits filed against the Springfield Area Transportation Study in regards to discrimination based on race, color, or national origin. A log as shown below will be kept by SATS staff to note and track complaints that could come to SATS through the Title VI complaint process.

		Date of Incident	Summary of Incident	Incident Status	Action(s) Taken
Complaints	1				
	2				
	3				
	4				
	5				

SATS PUBLIC PARTICIPATION PLAN

The Springfield Area Transportation Study updates its Public Participation Plan (PPP) every two years. The most recent PPP was adopted in May 2015. The Plan outlines the efforts to be taken to engage all citizens in the transportation planning process and can be found on the SATS website at [SATS Public Participation Plan](#) and is also available for review at the SSCRPC office.

SATS LANGUAGE ASSISTANCE PLAN

According to the U.S. Census Bureau 2008-2012 American Community Survey there are 122 people living in the Metropolitan Planning Area who speak English “not at all”. This represents 0.08% of the total population. Of these 122 people the language spoken at home is 43% Spanish, 36% Other Indo-European Languages, 11% Asian and Pacific Island Languages, and 10% Other Languages. With the small number of people having limited English proficiency and the wide array of languages spoken, when an interpreter is needed SATS will utilize online services such as Google Translate (<http://translate.google.com/>) or a telephone interpreter service such as Language Line <http://www.languageline.com/>.

PLANNING AND PROGRAMMING

SATS is responsible for developing long and short range transportation plans and programs to provide an efficient and effective transportation system in the Springfield Metropolitan Planning Area. A comprehensive transportation planning process is used. SATS coordinates with other jurisdictions in the MPA; encourages public engagement through various activities; and provides technical support when needed. The outreach methods employed for development of the Long Range Transportation Plan and short range plans are outlined in the SATS Public Participation Plan.

MEMBERSHIP OF PLANNING AND ADVISORY BODIES

Under terms entered into through a cooperative agreement between the Illinois Department of Transportation (IDOT), the City of Springfield, the Village of Chatham, Sangamon County, the Springfield-Sangamon County Regional Planning Commission (SSCRPC), and the Springfield Mass Transit District (SMTD), SATS functions as the transportation planning body for the Springfield Metropolitan Planning Area. SATS is composed of a Policy Committee and a Technical Committee.

- ◆ The Policy Committee includes the chief elected, appointed or administrative official (or appointed alternate) from each governmental body or agency participating in the cooperative agreement. The Policy Committee directs, oversees and coordinates the transportation planning process to ensure that transportation planning and programming decisions reflect the needs and desires of its members and the general public.

- ♦ The Technical Committee is composed of technical staff from the jurisdictions represented by the Policy Committee. The Technical Committee provides technical advice and recommendations to the Policy Committee on all matters pertaining to the planning functions of SATS and on other related matters referred to them by the SATS Policy Committee.

Representatives from the Federal Highway Administration, Abraham Lincoln Capital Airport, Illinois Commerce Commission, and Illinois Department of Transportation also serve as non-voting technical advisors to SATS.

During development of the SATS 2040 Long Range Transportation Plan (LRTP) two temporary committees were formed to provide public input to the process.

- ♦ Communities Advisory Committee which brought together representatives from the various jurisdictions in the MPA that were not represented on SATS.
- ♦ Citizens Advisory Committee which included representatives from a wide-range of constituencies in the MPA.

Strategies in the 2040 LRTP directed the creation of two committees to advance the goals of that plan.

- ♦ Communities Committee which provides an on-going platform for jurisdictions in the MPA not represented on SATS to engage in the MPO's transportation planning process.
- ♦ Multi-Use Trails Jurisdictions Committee which brings together all the jurisdictions responsible for multi-use trails in the area to coordinate efforts to expand and maintain the multi-use trails network.

SATS encourages engagement by minorities in the transportation planning process. Organizations representing African American constituencies were invited to participate on the Citizens Advisory Committee.

Racial Breakdown of SATS Committees

SATS Committee	White	Black/ African American	Asian	Native Hawaiian/ Pacific Islander	American Indian/ Alaska Native	Hispanic/ Latino
Policy	83%	17%	0%	0%	0%	0%
Technical	83%	17%	0%	0%	0%	0%
Communities Advisory	91%	0%	0%	0%	0%	9%
Citizens Advisory	86%	14%	0%	0%	0%	0%
Communities	100%	0%	0%	0%	0%	0%
Multi-Use Trails Jurisdictions	100%	0%	0%	0%	0%	0%

DEMOGRAPHIC PROFILE OF THE MPA

Demographic characteristics of the Metropolitan Planning Area can be found in **Attachment D**.

PRODEDURES BY WHICH THE MOBILITY NEEDS OF MINORITY POPULATIONS ARE IDENTIFIED AND CONSIDERED WITHIN THE PLANNING PROCESS

During development of the 2040 Long Range Transportation Plan the following efforts were made to specifically reach out to minority populations.

1. A citizen survey was conducted over a two month period with 523 people responding. The survey was available online but paper copies were made available as follows:
 - ⇒ At the Southern Illinois University School of Medicine Free Community Health Clinic
 - ⇒ To staff and clients of Contact Ministries, an agency working with homeless citizens
 - ⇒ To clients of Senior Services of Central Illinois
 - ⇒ To clients of Sangamon County Community Resources
 - ⇒ At an Earth Day Fair booth
 - ⇒ To the Springfield Mass Transit District Disabled Persons Advisory Committee

- ⇒ By distributing surveys to passengers on SMTD busses serving census tracts with high percentages of minority and poverty-level citizens: Routes 6, 9, 10, and 11.
 - ⇒ Through SATS email contact lists.
 - ⇒ Through SATS members websites and social media.
 - ⇒ Through Citizens Advisory Committee member organizations.
2. A Citizens Advisory Committee was formed with participation from organizations representing traditionally under-served constituencies, particularly - Area Agency on Aging for Lincolnland, Inc; Faith Coalition for the Common Good; Inner City Older Neighborhoods; Springfield Center for Independent Living; and Springfield Urban League.
 3. From outreach efforts undertaken during development of the 2040 LRTP more names have been added to the SATS email contact list. Notifications of activities undertaken by SATS are sent to this list on a regular basis.

All plans and plan amendments are available for a public review period online and at various locations throughout the MPA, but concentrated in areas with higher populations of African Americans. SATS responds to all comments received.

IMPACTS OF STATE AND FEDERAL FUNDS FOR TRANSPORTATION PROJECTS

Maps in **Attachment E** show the geographical distribution of FY 2016—2019 transportation projects utilizing state and federal funds in relation to the resident location of Black/African American citizens in the MPA.

Projects selected for implementation reflect SATS' desire to develop and maintain efficient and effective transportation networks so all citizens can safely travel to jobs, schools, goods and services, recreational opportunities, and other destinations on interconnected road, bicycle, and pedestrian networks as well as by public transportation. The largest minority population in the MPA is Black/African American and the location of their residences are illustrated on the maps in Attachment E with the vast majority living in the City of Springfield. As can be seen on these maps, there are not disparate impacts related to the distribution and effect of the funded projects. In fact, over the next four years several major projects will be undertaken to fill in missing links in the road, bike, and pedestrian networks and that will provide direct access from areas with higher concentrations of minority citizens to economic, education, and leisure centers of activity.

USDOT'S STANDARD TITLE VI ASSURANCE

The U. S. Department of Transportation's Standard Title VI Assurance signed by the Executive Director of the Springfield-Sangamon County Regional Planning Commission can be found in **Attachment F**.

SATS POLICY COMMITTEE RESOLUTION APPROVING THIS TITLE VI PLAN

The SATS Policy Committee adopted this Title VI Plan on April 14, 2016. The resolution of adoption can be found in **Attachment G**.

ATTACHMENT A
Metropolitan Transportation
Planning Process Certification

METROPOLITAN TRANSPORTATION PLANNING PROCESS CERTIFICATION

The Illinois Department of Transportation and the Springfield-Sangamon County Regional Planning Commission (SSCRPC), the Metropolitan Planning Organization for the Springfield urbanized area, hereby certify that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:

- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
- (2) In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93 (not applicable);
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (5) Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
- (10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Metropolitan Planning Organization

Illinois Department of Transportation

Norm Sims
Executive Director

Karen Shoup
Bureau Chief - Urban Program Planning

Sept. 3, 2015
Date

Sept 9, 2015
Date

ATTACHMENT B
Public Notice of Rights Under Title VI



PUBLIC NOTICE OF RIGHTS UNDER TITLE VI

The Springfield Area Transportation Study conducts its programs and planning activities without discrimination against any person on the basis of race, color, or national origin in accordance with 1964 Title VI of the Civil Rights Act.

Any person who believes she or he has suffered due to unfair treatment by any unlawful discriminatory practice under Title VI may file a complaint with the Springfield-Sangamon County Regional Planning Commission.

For more information on the SATS civil rights program and the procedures to file a complaint please contact the Springfield-Sangamon County Regional Planning Commission office at 217-535-3110, email LindaW@co.sangamon.il.us, or mail or visit the office at 200 South 9th Street, Springfield, IL 62701.

For more information visit sscrpc.org.

ATTACHMENT C
Title VI Complaint Form



Title VI Complaint Form

Title VI of the Civil Rights Act of 1964 states that, "No person in the United States shall on the basis of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be submitted to discrimination in any program, service, or activity receiving federal financial assistance."

This form may be used to file a complaint with the Springfield Area Transportation Study (SATS) for alleged violations of Title VI of the Civil Rights Act of 1964. If you need assistance completing this form due to a physical impairment or other reasons, please contact us by phone at (217) 535-3110, mail us at 200 S. 9th Street, Springfield, IL 62701 or go to our website at www.sscrpc.com.

SECTION I		
Name of Person Filing Complaint		
Mailing Address		
City	State	Zip Code
Telephone (Home)	Telephone (Cell)	
Email Address		
Accessible Format requirements? <input type="checkbox"/> Large Print <input type="checkbox"/> TDD <input type="checkbox"/> Audio Tape <input type="checkbox"/> Other		
SECTION II		
Are you filing this complaint on your own behalf? <input type="checkbox"/> Yes * <input type="checkbox"/> No <i>* If you answered "yes" to this question, go to Section III.</i>		
If you answered "no" please supply the name and relationship of the person for whom you are filing a complaint.		
Name	Relationship	
Please explain why you are filing for this person.		
Please confirm that you have obtained the permission of the aggrieved party to file this complaint on their behalf. <input type="checkbox"/> Yes <input type="checkbox"/> No		

SECTION III

I believe the discrimination experienced was based on (check all that apply):

☐ Race

☐ Color ☐ National Origin

Date of Alleged Discrimination:

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

SECTION IV	
Have you previously filed a Title VI Complaint with the Springfield Area Transportation Study? <div style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div>	
SECTION V	
Have you filed this complaint with any of the following? <input type="checkbox"/> Federal Agency _____ <input type="checkbox"/> State Agency _____ <input type="checkbox"/> Local Agency _____ <input type="checkbox"/> Federal Court _____ <input type="checkbox"/> State Court _____	
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name	Title
Agency	
Mailing Address	
Email Address	Telephone Number

You may attach any written materials or other information that you think is relevant to your complaint.

Signature

Date

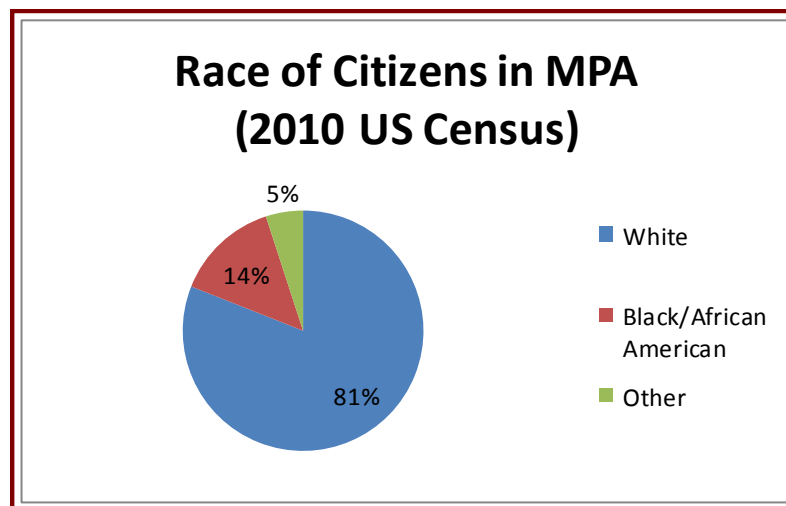
Please submit form to: **Title VI Coordinator**
Springfield-Sangamon County Regional Planning Commission
200 South 9th Street, Room 212
Springfield, IL 62701

ATTACHMENT D
Demographics of the
Metropolitan Planning Area

Metropolitan Planning Area Residents - Summary		
Demographic	% of Population	Number of Citizens
TOTAL RESIDENTS (2010 Census)	100%	168,972
RACE (2010 Census)		
White Residents	81%	137,308
Black or African American Residents	14%	23,199
Residents of other races	5%	8,465
INCOME (ACS 2008-2012 Estimate)		
Residents living below Poverty Level	15%	25,346
Residents living from 1 – 1.24 times the Poverty Level	4%	6,759
Residents living at or above 1.25 times the Poverty Level	81%	136,867
AGE (2010 Census)		
Below 18 (17-year age range)	23%	39,469
18 – 44 (28-year age range)	34%	57,845
45 – 64 (21-year age range)	29%	47,928
65+ (37-year age range)	14%	23,728
Source: U.S. Census Bureau Census 2010 through ESRI (Total, Race, Age) U.S. Census American Community Survey 2008-2012 Estimate through ESRI (Income)		

2010 Residents' Race								
Race	MPA		City of Springfield		Urbanized Area		Sangamon County	
	#	%	#	%	#	%	#	%
White	137,308	81.3%	88,092	75.8%	129,895	80.5%	165,103	83.6%
Black or African American	23,199	13.7%	21,510	18.5%	23,135	14.3%	23,335	11.8%
Asian	3,124	1.8%	2,555	2.2%	3,070	1.9%	3,220	1.6%
American Indian	356	0.2%	239	0.2%	333	0.2%	394	0.2%
Pacific Islander	39	0.0%	25	0.0%	38	0.0%	47	0.0%
Some Other race	975	0.6%	766	0.7%	958	0.6%	1,047	0.5%
2 or more races	3,971	2.4%	3,063	2.6%	3,887	2.4%	4,319	2.2%
TOTAL	168,972	100.0%	116,250	100.0%	161,316	100.0%	197,465	100.0%
Source: US Census Bureau 2010 and US Census Bureau through ESRI								

HISTORY OF WHITE AND BLACK OR AFRICAN AMERICAN POPULATIONS 1980 - 2010								
Area	White Residents				Black or African American Residents			
	1980	1990	2000	2010	1980	1990	2000	2010
MPA	n/a	n/a	n/a	81.3%	n/a	n/a	n/a	13.7%
City of Springfield	88.0%	85.6%	81.0%	75.8%	10.8%	13.0%	15.3%	18.5%
Urbanized Area	90.0%	87.2%	84.9%	80.5%	9.1%	11.4%	11.8%	14.3%
Sangamon County	92.6%	90.8%	87.4%	83.6%	6.5%	8.1%	9.7%	11.8%
Source: US Census Bureau 2010 and US Census Bureau through ESRI								

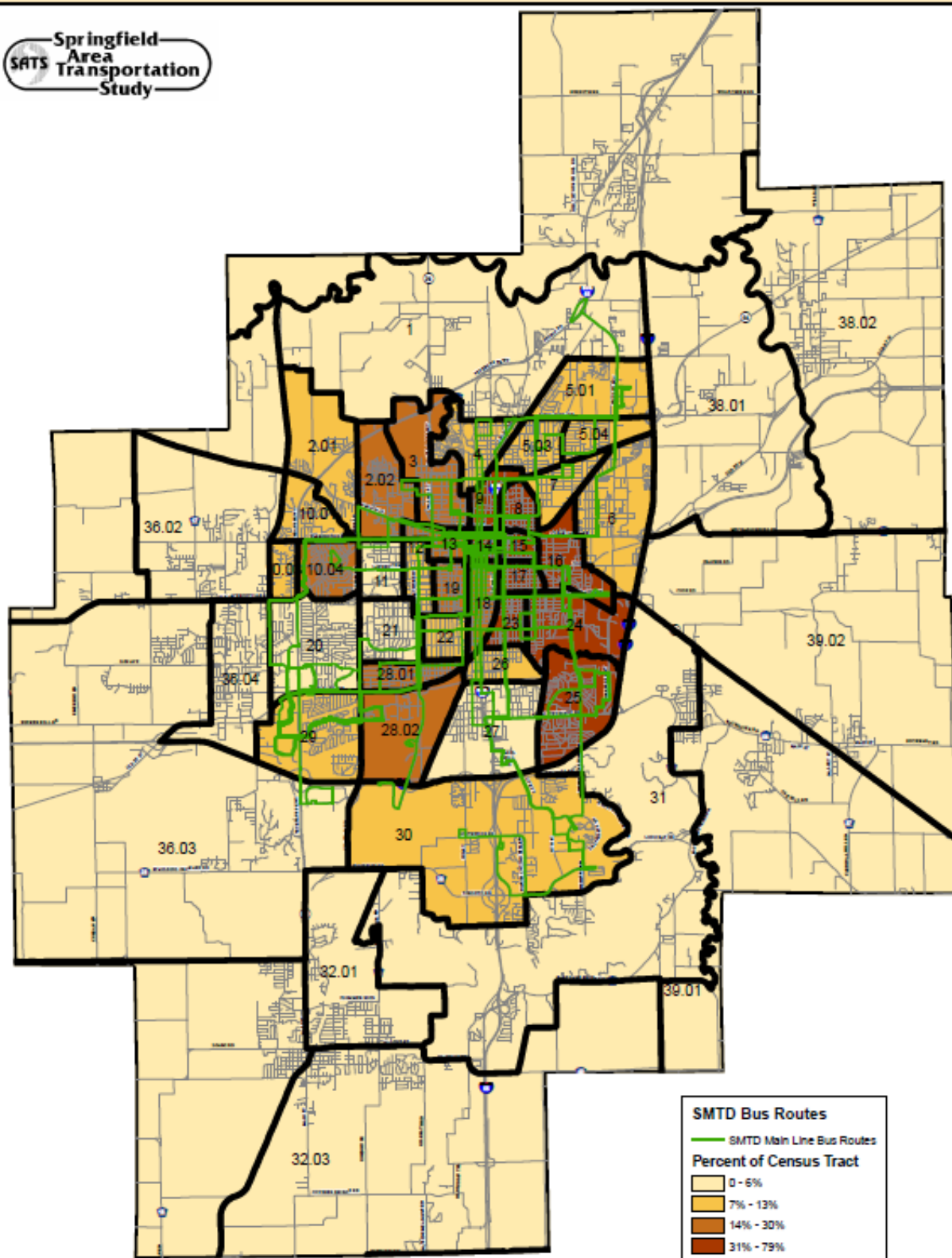


The 2010 U.S. Census did not address the language spoken by citizens; however, the American Community Survey does provide some estimates for reference. It is apparent that a vast majority of residents in the MPA speak only English (95.3%). Of the remaining residents, most are bilingual, speaking both English and their native tongue. Only 122 residents (.08%), speaking a wide array of languages, do not speak English at all.

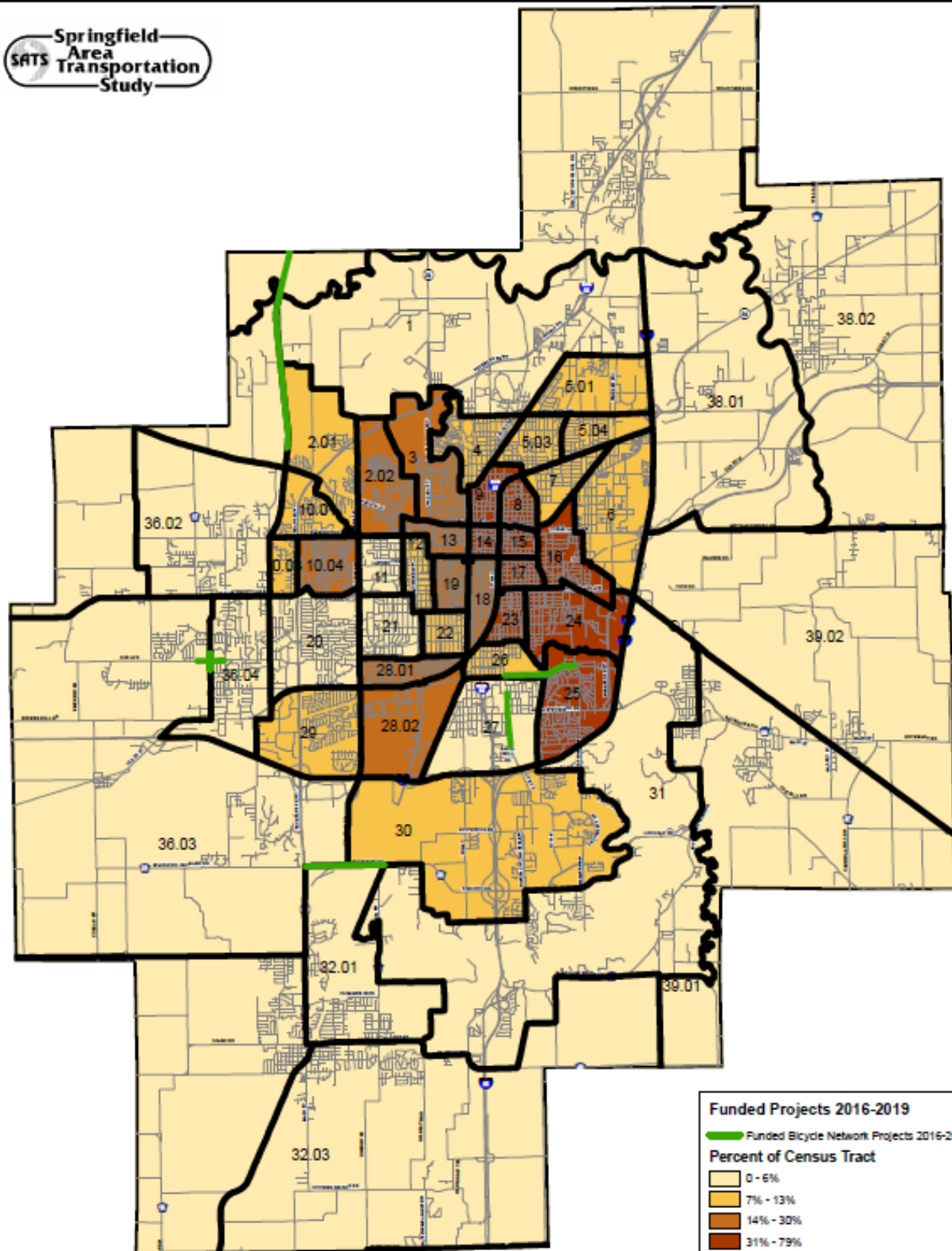
LANGUAGE SPOKEN AT HOME BY RESIDENTS IN THE MPA

Speak only English	149,309	94.7%
Speak Spanish	3,037	1.9%
<i>Speak English "not at all"</i>	52	
Speak other Indo-European languages	2,892	1.8%
<i>Speak English "not at all"</i>	44	
Speak Asian and Pacific Island languages	920	1.0%
<i>Speak English "not at all"</i>	13	
Speak other languages	920	0.6%
<i>Speak English "not at all"</i>	13	
Total Speak English "not at all"	122	.08%

ATTACHMENT E
Impacts of
State and Federal Funds
for Transportation Projects



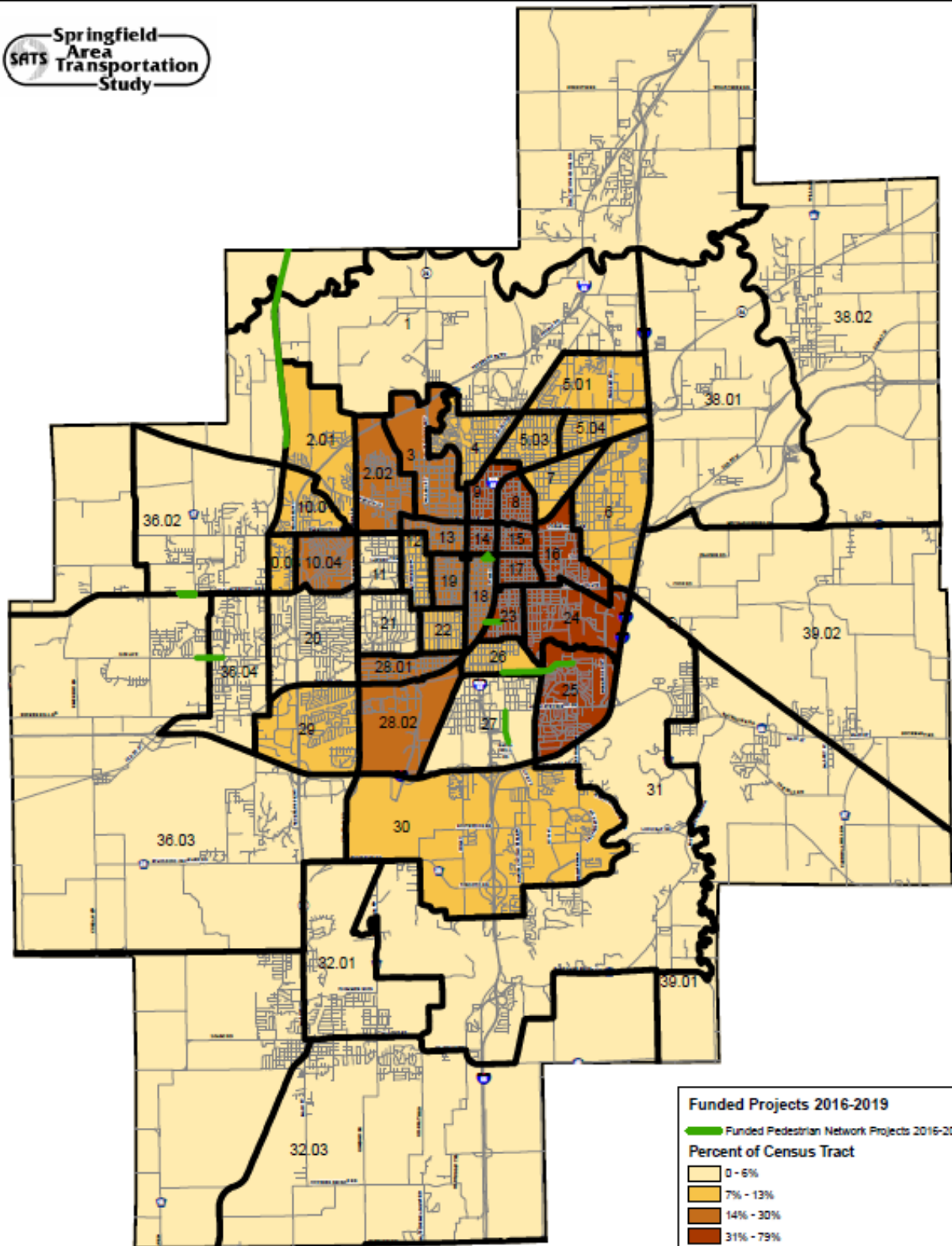
SMTD Main Line Bus Routes and Residence Location of African-American Population



**Funded Bicycle Network Projects and Residence
Location of African-American Population**

0 0.5 1 2
Miles

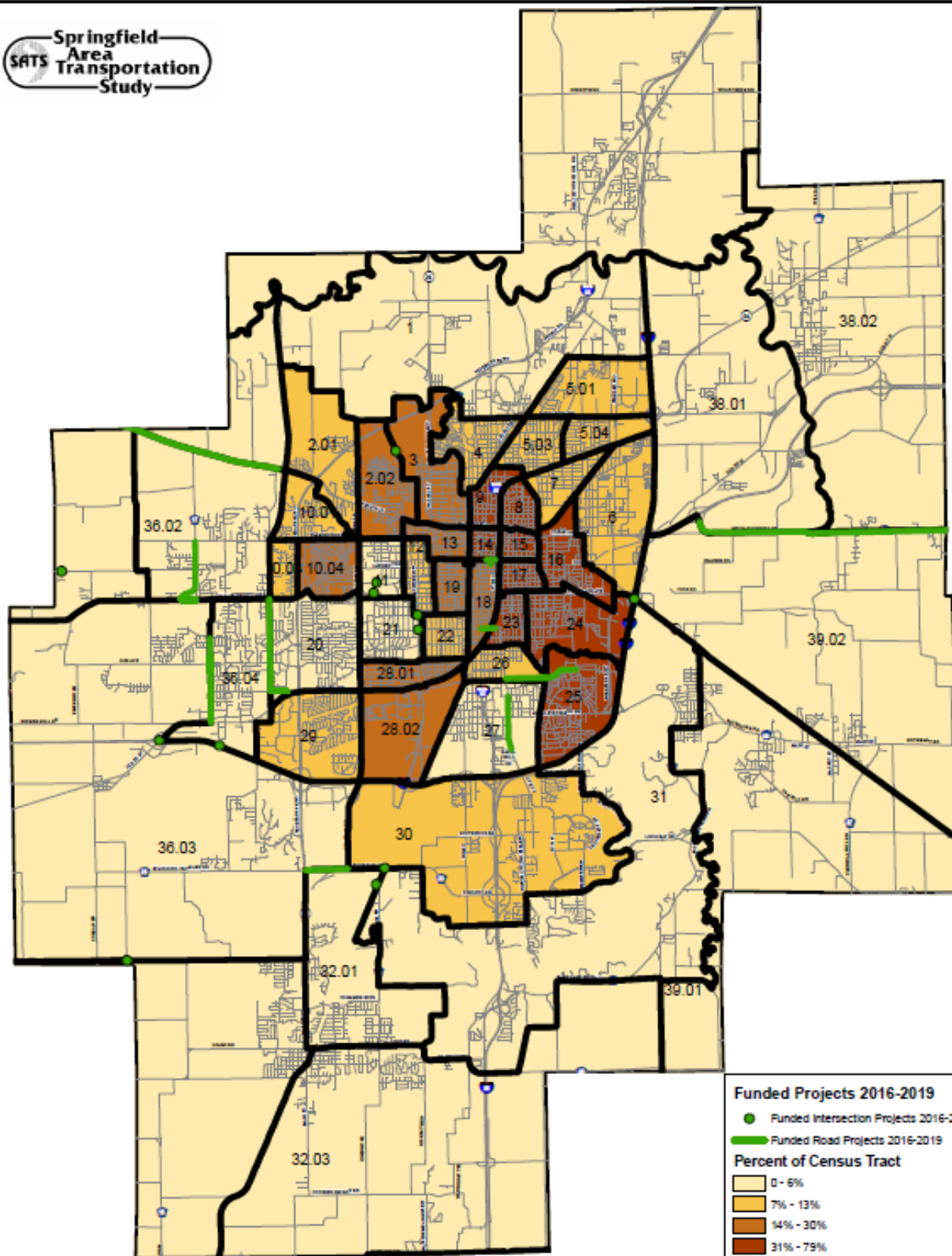
Source: 2010 U.S. Census; SGCORP
March 14, 2016; JS



**Funded Pedestrian Network Projects
and Residence Location of
African-American Population**

0 0.5 1 2
Miles

Source: 2010 U.S. Census; SGRPC
March 14, 2016; JS



Funded Road Projects and Residence Location of African-American Population

0 0.5 1 2 Miles

Source: 2010 U.S. Census; SORPC
March 14, 2016; JS

ATTACHMENT F
USDOT Standard Title VI Assurances

United States Department of Transportation
Standard Title VI/Nondiscrimination Assurances

The Springfield Area Transportation Study (hereinafter referred to as Recipient), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the United States Department of Transportation is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. § 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects;
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (PL 100-209, (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Title II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations 49 C.F.R. parts 37 and 38;
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity,” for which the Recipient receives Federal financial assistance from DOT.

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted transportation planning activities:

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

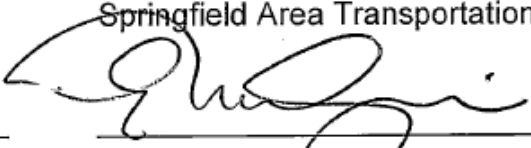
1. The Recipient agrees that each “program” at each “facility”, as defined in Subsections 21.23 (e) and 21.23 (b) of the Regulations, will be operated (with regard to a “facility”) in compliance with all requirements imposed by , or pursuant to , the Regulations.
2. The Recipient shall insert the following notification in all solicitations for bids for work or materials subject to the Regulations made in connection with the Federal Aid Program, and in adapted form in all proposals for negotiated agreements:

“The SATS in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252. 42 USC 2000d to 2000d4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.”
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over and under such property.
7. The Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deed, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - (a.) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program: and
 - (b.) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods;
 - (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the plan as are found by the Secretary of Transportation, or the official to whom s/he delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such plan will comply with all requirements imposed or pursuant to the Act, the Regulations and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining, any and all Federal grants, agreements, loans, contracts, property, discounts or other Federal aid and Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal MPO planning programs. This ASSURANCE is binding on SATS, sub-recipients, sub-grantees, contractors, sub-contractors and their sub-contractors, transferees, successors in interest, and any other participants in the Federal MPO planning programs. The person signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

April 22, 2016
Date

Springfield Area Transportation Study

E. Norm Sims Executive Director

Appendix A

During the performance of this contract, the contractor, for itself, its assignees, and its successors in interest (hereinafter referred to as the “contractor”), agrees as follows:

- 1. Compliance with Regulations:** For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made apart of this contract.
- 2. Nondiscrimination:** The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
- 3. Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor’s obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- 4. Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and facilities as may be determined to be pertinent by the Department of the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.
- 5. Sanctions for Noncompliance:** In the event of the contractor’s noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to the following:
 - a. Withholding payments to the contractor until the contractor complies; and/or
 - b. Canceling, terminating or suspending the contract in whole or in part.
- 6. Incorporation of Provisions:** The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Appendix B: Clauses for Deeds

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States pursuant to the provisions of Assurance 4:.

NOW, THEREFORE, the U.S. Department of Transportation, as authorized by law, and upon the condition that the SATS will accept title to the lands and maintain the project constructed thereon, in accordance with the Regulations, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200) and procedures prescribed by the Office of the Secretary of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4) does hereby remise, release, quit claim and convey unto the SATS all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made part of hereto.

Habendum Clause*

TO HAVE AND TO HOLD said lands and interests therein unto the SATS, and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the SATS, its successors and assigns.

The SATS, in consideration or the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land of itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part, on, over, or under such lands hereby conveyed (,) and)* (2) that the SATS shall use the lands and interests in lands and interest in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally assisted programs of the U.S. Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purposes of Title VI of the Civil Rights Act of 1964.

Appendix C: Clauses for Deeds, Permits, Leases and Licenses

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the SATS, pursuant to the provisions of Assurance 7(a).

- A. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation program, facility, or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the SATS will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the SATS will have the right to enter, re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the SATS and its assigns.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI of the Civil Rights Act of 1964.

**Appendix D: Clauses for Construction/Use/Access to Real Property
Acquired Under the Activity, Facility or Program**

The following clauses shall be included in all deeds, licenses, permits, or similar instruments/agreements entered into by the SATS, pursuant to the provisions of Assurance 7(b).

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that:
1. No person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
 2. In the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination.
 3. The (grantee, licensee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, the SATS will have the right to terminate the (lease, license, permit, etc., as appropriate) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the SATS will have the right to enter, re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the SATS and its assigns.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities, including, but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat.252), prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, prohibits discrimination on the basis of disability; and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123, as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations 49 C.F.R. parts 37 and 38.
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

ATTACHMENT G
Resolution Adopting the SATS Title VI Plan



**RESOLUTION TO APPROVE
THE
SPRINGFIELD AREA TRANSPORTATION STUDY
TITLE VI PLAN**

WHEREAS, the Springfield Area Transportation Study (SATS) functions as the Metropolitan Planning Organization (MPO) for the Springfield Metropolitan Planning Area; and

WHEREAS, SATS, in cooperation with the Illinois Department of Transportation, has a comprehensive, cooperative, and continuing (3C) planning process for transportation planning in compliance with Federal regulations for the urbanized area; and

WHEREAS, all programs and organizations receiving financial assistance from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) are subject to Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation's implementing regulations; and

WHEREAS, SATS assures that no person shall, on the basis of race, color, or national origin, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity whether those programs and activities are Federally funded or not; and

WHEREAS, SATS has developed a Title VI Plan in compliance with federal regulation; and

NOW, THEREFORE, BE IT RESOLVED, that the Policy Committee hereby adopts the SATS Title VI Plan.

Adopted on this 14th day of April, 2016. **ATTEST:**



Bonnie Drew, Chair
SATS Policy Committee